

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
ON APPEAL FROM THE EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES**

In re Application of: Kaihu CHEN, et al.  
Serial No.: 10/066,036  
Filing Date: January 31, 2002  
Group Art Unit: 2173  
Examiner: Namitha Pillai  
Title: **SYSTEM AND METHOD FOR ISOMORPHIC DATA-  
DRIVEN WEB PAGE GENERATION**

**Mail Stop APPEAL BRIEF - PATENTS**

Commissioner for Patents  
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Alexandria, Virginia 22313-1450

Dear Sir:

**APPEAL BRIEF**

Appellants have appealed to this Board from the decision of the Examiner, contained in a Final Office Action mailed August 31, 2005 ("Final Office Action"), finally rejecting Claims 1-16. Appellants mailed a Notice of Appeal on December 29, 2005. Appellants respectfully submit this Appeal Brief for consideration of the Board.

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**Real Party In Interest**

The real party in interest for this Application under appeal is Computer Associates Think, Inc. of Islandia, New York.

**Related Appeals And Interferences**

The Appellants, the undersigned Attorney for Appellants, and the Assignee know of no applications on appeal that may directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**Status Of Claims**

Claims 1-16 were rejected in the Final Office Action. Appellants present Claims 1-16 for appeal and set forth these claims in Appendix A.

**Status of Amendments**

The claims on appeal and which appear in Appendix A of this Appeal Brief represent the form of the claims as of the time of the Final Office Action. A response pursuant to 37 C.F.R. § 1.116 was filed after the Final Office Action; however, Appellants filed no amendments to the claims.

**Summary of Claimed Subject Matter**

The claims of the present application are directed to systems and methods for dynamically generating a web page. Generally, a graphical user interface (“GUI”) data manager (130) receives a uniform resource locator (“URL”) from a user requesting a web page, determines the credentials of the user, and parses the URL into GUI node information. *See* Specification, p. 13, ll. 1-7 and 17-20. Access control information for every GUI node associated with the requested URL is then compared to the credentials of the user, and the data identified by GUI nodes that the user may access is retrieved. *See* p. 14, ll. 3-5. A data conversion specification (FS1) and a data representation specification (FS2), each associated with the user, are then used to convert the retrieved data into a form suitable for the user. *See* p. 14, ll. 10-20. This code is then returned to the originating web browser and displayed for the user as a web page. *See* p. 14, ll. 18-20.

For example, Claim 1 recites a method for dynamically constructing a web page. In a particular embodiment, the method comprises receiving a URL identifying a web page referencing a plurality of elements (*see, e.g.*, p. 13, ll. 1-2; Figure 2, block 215); receiving a user identifier representing a user (*see, e.g.*, p. 13, l. 5; Figure 2, block 220); evaluating each of the plurality of elements based on the user identifier to identify a subset of at least one element the user is authorized to access (*see, e.g.*, p. 13, ll. 5-7; Figure 2, block 225); determining a data conversion specification (FS1) associated with the user (*see, e.g.*, p. 14, ll. 10-12; Figure 3B, blocks 370, 375, and 380); determining a data representation specification (FS2) associated with the user (*see, e.g.*, p. 14, ll. 10-12; Figure 3C, blocks 386, 388, and 390); and converting and presenting each of the subset of elements (*see, e.g.*, p. 14, ll. 18-20; Figure 3C, block 394).

In another example, Claim 6 recites a system for dynamically constructing a web page. In a particular embodiment, the system comprises a processor (Figure 4, processor 410) and a memory (Figure 4, memory 415) connected to the processor for storing processor executable instructions to control the operation of said processor. *See* p. 15, ll. 5-26. The processor executable instructions include instructions to receive a URL identifying a web page referencing a plurality of elements (*see, e.g.*, p. 15, ll. 10-11; Figure 4, URL Receiving Module 425); instructions to receive a user identifier representing a user (*see, e.g.*, p. 15, ll. 11-14; Figure 4, User Identification Module 430); instructions to evaluate each of the plurality of elements based on the user identifier to identify a subset of at least one element

the user is authorized to access (*see, e.g.*, p. 15, ll. 11-14; Figure 4, Element Identification and Evaluation Module 435); instructions to determine a data conversion specification associated with the user; instructions to determine a data representation specification associated with the user (*see, e.g.*, p. 15, ll. 15-16; Figure 4, Data Conversion Module 440); and instructions to convert and present each of the subset of elements (*see, e.g.*, p. 15, ll. 9-19; Figure 4, Dynamic Web Page Generation Logic 420, Data Conversion Module 440, and Web Page Presentation Module 445).

Claim 11 also recites an apparatus for dynamically constructing a web page. However, unlike Claim 6, Claim 11 is written in means plus function format pursuant to 35 U.S.C. § 112, ¶ 6. In a particular embodiment, the apparatus comprises means for receiving a URL identifying a web page referencing a plurality of elements (*see, e.g.*, p. 15, ll. 10-11; Figure 4, URL Receiving Module 425); means for receiving a user identifier representing a user (*see, e.g.*, p. 15, ll. 11-14; Figure 4, User Identification Module 430); means for evaluating each of the plurality of elements based on the user identifier to identify a subset of at least one element the user is authorized to access (*see, e.g.*, p. 15, ll. 11-14; Figure 4, Element Identification and Evaluation Module 435); means for determining a data conversion specification associated with the user (*see, e.g.*, p. 15, ll. 15-16; Figure 4, Data Conversion Module 440); means for determining a data representation specification associated with the user (*see, e.g.*, p. 15, ll. 17-19; Figure 4, Web Page Presentation Module 445); and means for converting and presenting each of the subset of elements (*see, e.g.*, p. 15, ll. 9-19; Figure 4, Dynamic Web Page Generation Logic 420, Data Conversion Module 440, and Web Page Presentation Module 445).

In yet another example, Claim 16 recites a computer-readable storage medium encoded with processing instructions for dynamically constructing a web page. In a particular embodiment, the processing instructions comprise computer readable instructions for receiving a URL identifying a web page referencing a plurality of elements (*see, e.g.*, p. 13, ll. 1-2; Figure 2, block 215); computer readable instructions for receiving a user identifier representing a user (*see, e.g.*, p. 13, l. 5; Figure 2, block 220); computer readable instructions for evaluating each of the plurality of elements based on the user identifier to identify a subset of at least one element the user is authorized to access (*see, e.g.*, p. 13, ll. 5-7; Figure 2, block 225); computer readable instructions for determining a data conversion specification (FS1) associated with the user (*see, e.g.*, p. 14, ll. 10-12; Figure 3B, blocks 370, 375, and 380); computer readable instructions for determining a data representation specification



(FS2) associated with the user (*see, e.g.*, p. 14, ll. 10-12; Figure 3C, blocks 386, 388, and 390); and computer readable instructions for converting and presenting each of the subset of elements (*see, e.g.*, p. 14, ll. 18-20; Figure 3C, block 394).

The systems and method described above may allow different users to use the same GUI nodes while having individualized data conversion and data representation specifications that allow the users to customize the web page presented to them. *See* p. 14, ll. 21-22. For example, the data conversion specification (FS1) may allow foreign data sources that use different tag sets to be transformed into a form that is acceptable to the system being used. *See* p. 15, ll. 1-4. Furthermore, by allowing a user to specify his/her own data representation specification (FS2), each user may experience a different look-and-feel for the website. *See* p. 13, ll. 27-30; Figures 5A and 5B.

**Grounds Of Rejection To Be Reviewed On Appeal**

I. Appellants request that the Board review the Examiner's rejection of Claims 1-16 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,038,597, which issued to Van Wyngarden ("*Van Wyngarden*").

**Argument**

**I. *Van Wyngarden* fails to describe, expressly or inherently, at least three elements recited in Claims 1-16.**

Consider Appellants' independent Claim 1, which recites:

A method for dynamically constructing a web page, comprising:  
    receiving a uniform resource locator identifying a web page, the web page referencing a plurality of elements;  
    receiving a user identifier representing a user;  
    evaluating each of the plurality of elements based on the user identifier to identify a subset of at least one element the user is authorized to access;  
    determining a data conversion specification associated with the user;  
    determining a data representation specification associated with the user; and  
    converting and presenting each of the subset of elements.

Appellants respectfully submit that *Van Wyngarden* fails to teach, suggest, or disclose each of these elements, and therefore the Examiner's § 102 rejection based on *Van Wyngarden* must fail. *See Dewey & Almy Chemical Co. v. Mimex*, 124 F.2d 986, 52 USPQ 138 (2d Cir. 1942)(stating that in order to establish a *prima facie* case of anticipation, all the elements of the claimed invention must be found within a single prior art reference); *see also Phillips v. AWH Corp.*, 415 F.3d 1303, 1313 (Fed. Cir. 2005) (en banc) (stating that the ordinary and customary meaning of a claim term is the meaning that the term would have to a person of ordinary skill in the art in question at the time of the invention, and the person of ordinary skill in the art is deemed to read the claim term not only in the context of the particular claim in which the disputed term appears, but in the context of the entire patent, including the specification.)

Among other elements, *Van Wyngarden* fails to disclose: (1) determining a data conversion specification associated with the user, (2) determining a data representation specification associated with the user, and (3) converting and presenting each of the subset of elements.

In general, *Van Wyngarden* teaches a method and apparatus for providing and accessing data at an internet site. A site provider provides managed information on a web

site, allowing a user to access all or part of the managed information on the web site. Col. 3, ll. 43-50. Users are provided with user ID's and user passwords for accessing a web page at the web site. Col. 4, ll. 1-3. Only those users with particular user IDs and passwords may access certain areas of the web page. Col. 5, ll. 16-31.

The background section of *Van Wyngarden*, on which the Examiner primarily relies in his rejection, teaches various systems whereby a remote provider and a remote user may access data and information. In one system cited by the Examiner, a server receives a user identification string from a remote user at a remote computer, identifies an IP address for the string, and sends the IP address to the remote computer, allowing the remote computer to access and communicate on a local computer network using the IP address. Col. 1, ll. 14-29. *Van Wyngarden*'s background section also discloses an authorization mechanism that provides authorization information for a client requesting access to a server resource in a server. A directory server stores client information (including client access rights) required by the server in executing an operation call. The directory server may also generate a request for an authorization ticket to the server. The request for an authorization ticket includes an identification of the client and an identification of the client information required by the server and is in association with an operation call. The authorization mechanism generates an authorization ticket including the identified information, the information encrypted with an encryption key derived from the password of the server. The authorization ticket is sent to the server, and the server decrypts the authorization ticket with the server password, obtaining the client information directly (including the client access rights). Col. 1, ll. 49-64.

**A. *Van Wyngarden* does not teach determining a data conversion specification associated with the user.**

*Van Wyngarden* fails to teach, suggest, or disclose "determining a data conversion specification associated with the user," as recited in Claim 1. In support of the rejection, the Examiner relies on a portion of *Van Wyngarden* that discloses determining an IP address associated with a user identification string, sending this IP address to a remote computer, and allowing the remote computer to access and communicate on a local computer network using the IP address. *See* Final Office Action, p. 2. (citing Col. 1, ll. 19-28). Contrary to the Examiner's position, however, neither the user identification string nor the IP address is a data conversion specification as recited in Claim 1. Simply put, neither one of these items have anything to do with data conversion.

In the Response to Arguments, the Examiner also asserts that an “encryption key associated with the data received from the user or client” in *Van Wyngarden* discloses “a data conversion specification associated with the user” as recited in Claim 1. *See* Final Office Action, p. 4. In support of this rejection, the Examiner cites a system disclosed in *Van Wyngarden* in which an authorization mechanism generates and sends an authorization ticket that includes information encrypted with an encryption key derived from the password of a server. The server then decrypts the authorization ticket with the server password. Col. 1, ll. 49-64. However, using an encryption key derived from the password of a server is not the same as “determining a data conversion specification associated with the user.” Data encryption and data conversion (as recited in the claims and described in the specification) are not the same thing. For at least these reasons, the rejection of Claim 1 is improper.

**B. *Van Wyngarden* does not teach determining a data representation specification associated with the user.**

*Van Wyngarden* also fails to teach, suggest, or disclose “determining a data representation specification associated with the user,” as recited in Claim 1. In support of the rejection, the Examiner relies on a portion of *Van Wyngarden* that discloses determining an IP address associated with a user identification string, sending this IP address to a remote computer, and allowing the remote computer to access and communicate on a local computer network using the IP address. *See* Final Office Action, p. 2. (citing Col. 1, ll. 19-28). This is the same portion the Examiner relies on as disclosing a data conversion specification. Here, too, the Examiner is incorrect. Neither a user identification string nor a IP address is a data representation specification as recited in Claim 1. Simply put, neither one of these items have anything to do with the way data is represented to the user.

The Examiner’s Response to Arguments also identifies “information required by the client user” as disclosing an example of a “data representation specification” as recited in Claim 1. *See* Final Office Action, p. 5. Although the Final Office Action fails to designate as nearly as practicable the particular part of *Van Wyngarden* that is relied upon to reject the pending claims as required by 37 C.F.R. § 1.104(c)(2), Appellants believe the Examiner is referring to the system in *Van Wyngarden*’s background section that discloses “client information required by the server in executing an operation call.” Col. 1, ll. 49-55. This client information, however, is not a data representation specification as recited in Claim 1. Instead, *Van Wyngarden* merely discloses that this client information includes client access

rights. Col. 1, ll. 49-55. Nothing in *Van Wyngarden* teaches, suggests, or discloses that this client information includes a data representation specification. Because of this, *Van Wyngarden* fails to teach, suggest, or disclose “determining a data representation specification associated with the user.”

In the Examiner’s Advisory Action, the Examiner shifts the argument that *Van Wyngarden* discloses “determining a data representation specification associated with the user” by focusing on a portion of *Van Wyngarden* that discloses a “multi-access area” that has “at least two (2) levels of access, each of which is associated with [a] user ID and password.” Col. 5, ll. 15-25 According to the Examiner, “any data that is to be presented to the user is interpreted as data representation with the documentation associated with this data including the data to be transmitted is interpreted as the specification, with the various portions being data representation specification associated with the user, with the specification being the web page data of any portions that are accessible based on a user password.” See Advisory Action, p. 2 (citations omitted). The Examiner, however, is incorrect, as the portions of *Van Wyngarden* cited by the Examiner have nothing to do with a data representation specification as recited in Claim 1. Instead, the portions of *Van Wyngarden* cited by the Examiner merely relate to restricting access to areas of a web site based on user ID and password. Password-restricting a portion of a website is not “determining a data representation specification associated with the user” as recited in Claim 1. In fact, nothing in *Van Wyngarden* teaches, suggests, or discloses a “data representation specification” or “determining a data representation specification associated with the user” as recited in Claim 1. For at least these reasons, the rejection of Claim 1 is improper.

**C. *Van Wyngarden* does not teach converting and presenting each of the subset of elements.**

*Van Wyngarden* also fails to teach, suggest, or disclose “converting and presenting each of the subset of elements [the user is authorized to access]” as recited in Claim 1. Instead, the portions of *Van Wyngarden* relied upon by the Examiner (the second of the two systems in the background section described above) merely disclose generating an “authorization ticket” that “provides authorization information for a client requesting access to a server resource in a server.” Col. 1, l. 49 - col. 2, l. 3. Generating an authorization ticket, however, is not converting and presenting each of the subset of elements. Because of this, *Van Wyngarden* fails to teach, suggest, or disclose converting and presenting each of a

subset of elements as recited in Claim 1. For at least this reason, as well as those discussed above, Appellants submit that the rejection of Claim 1 is improper. Therefore, Appellants respectfully request that the rejection of Claim 1 be withdrawn.

**D. *Van Wyngarden* fails to describe, expressly or inherently, at least three elements recited in Claims 2-16.**

Similar to Claim 1, Claim 6 recites “instructions to determine a data conversion specification associated with the user,” “instructions to determine a data representation specification associated with the user,” and “instructions to convert and present each of the subset of elements.” Therefore, Appellants submit that Claim 6 is allowable, for example, for reasons similar to those discussed above with regard to Claim 1. As such, Appellants respectfully request that the rejection of Claim 6 be withdrawn.

Likewise, Claim 11 recites “means for determining a data conversion specification associated with the user,” “means for determining a data representation specification associated with the user,” and “means for converting and presenting each of the subset of elements.” Therefore, Appellants submit that Claim 11 is allowable, for example, for reasons similar to those discussed above with regard to Claims 1 and 6. As such, Appellants respectfully request that the rejection of Claim 11 be withdrawn.

Similarly, Claim 16 recites “computer readable instructions for determining a data conversion specification associated with the user,” “computer readable instructions for determining a data representation specification associated with the user,” and “computer readable instructions for converting and presenting each of the subset of elements.” Therefore, Appellants submit that Claim 16 is allowable, for example, for reasons similar to those discussed above with regard to Claim 1, 6, and 11. As such, Appellants respectfully request that the rejection of Claim 16 be withdrawn.

Claims 2-5, 7-10, and 12-15 depend, either directly or indirectly, from independent Claims 1, 6, and 11, respectively. Therefore, Appellants respectfully submit that Claims 2-5, 7-10, and 12-15 are allowable, for example, for reasons similar to those discussed above with regard to Claims 1, 6, and 11. As such, Appellants respectfully request that the rejections of Claims 2-5, 7-10, and 12-15 be withdrawn.

For at least these reasons, Appellants request that the Board reverse the rejection and instruct the Examiner to allow Claims 1-16.

**Conclusion**

Appellants have demonstrated that the present invention, as claimed in Claims 1-16, is patentably distinct from the cited art. Accordingly, Appellants request that the Board reverse the final rejection and instruct the Examiner to issue a Notice of Allowance of Claims 1-16.

The Commissioner is hereby authorized to charge any extra fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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**Appendix A - Claims Involved In Appeal**

1. (Original) A method for dynamically constructing a web page, comprising:  
receiving a uniform resource locator identifying a web page, the web page  
referencing a plurality of elements;  
receiving a user identifier representing a user;  
evaluating each of the plurality of elements based on the user identifier to identify a  
subset of at least one element the user is authorized to access;  
determining a data conversion specification associated with the user;  
determining a data representation specification associated with the user; and  
converting and presenting each of the subset of elements.
2. (Original) The method of claim 1, further including determining a role based  
on the user identifier, and wherein evaluating each of the plurality of elements is performed  
based on the role of the user.
3. (Original) The method of claim 1, further including determining an affiliation  
based on the user identifier, and wherein evaluating each of the plurality of elements is  
performed based on the affiliation of the user.
4. (Original) The method of claim 3, wherein the data presentation specification  
includes branding data presented based on the affiliation of the user.
5. (Original) The method of claim 1, further including defining environmental  
variables and enabling concurrent access among users to the data conversion specification  
and the data representation specification.

6. (Original) A system for dynamically constructing a web page, comprising:  
a processor;  
a memory connected to the processor for storing processor executable instructions to control the operation of said processor;  
the processor executable instructions including:  
instructions to receive a uniform resource locator identifying a web page,  
the web page referencing a plurality of elements;  
instructions to receive a user identifier representing a user;  
instructions to evaluate each of the plurality of elements based on the user identifier to identify a subset of at least one element the user is authorized to access;  
instructions to determine a data conversion specification associated with the user;  
instructions to determine a data representation specification associated with the user; and  
instructions to convert and present each of the subset of elements.
7. (Original) The system of claim 6, further including instructions to determine a role based on the user identifier, and wherein the instructions to evaluate each of the plurality of elements includes instructions to evaluate the role of the user.
8. (Original) The system of claim 6, further including instructions to determine an affiliation based on the user identifier, and wherein the instructions to evaluate each of the plurality of elements includes instructions to evaluate the affiliation of the user.
9. (Original) The system of claim 8, further including instructions to present branding data presented based on the affiliation of the user.
10. (Original) The system of claim 6, further including instructions to define environmental variables and enable concurrent access among users to the data conversion specification and the data representation specification.

11. (Original) An apparatus for dynamically constructing a web page, comprising:  
means for receiving a uniform resource locator identifying a web page, the web page  
referencing a plurality of elements;  
means for receiving a user identifier representing a user;  
means for evaluating each of the plurality of elements based on the user identifier to  
identify a subset of at least one element the user is authorized to access;  
means for determining a data conversion specification associated with the user;  
means for determining a data representation specification associated with the user;  
and  
means for converting and presenting each of the subset of elements.

12. (Original) The apparatus of claim 11, further including means for determining  
a role based on the user identifier, and wherein the means for evaluating operates based on  
the role of the user.

13. (Original) The apparatus of claim 11, further including means for determining  
an affiliation based on the user identifier, and wherein the means for evaluating operates  
based on the affiliation of the user.

14. (Original) The apparatus of claim 13, further including means for presenting  
branding data based on the affiliation of the user.

15. (Original) The apparatus of claim 11, further including means for enabling  
concurrent access among users to the data conversion specification and the data  
representation specification.

16. (Original) A computer-readable storage medium encoded with processing instructions for dynamically constructing a web page, comprising:

computer readable instructions for receiving a uniform resource locator identifying a web page, the web page referencing a plurality of elements;

computer readable instructions for receiving a user identifier representing a user;

computer readable instructions for evaluating each of the plurality of elements based on the user identifier to identify a subset of at least one element the user is authorized to access;

computer readable instructions for determining a data conversion specification associated with the user;

computer readable instructions for determining a data representation specification associated with the user; and

computer readable instructions for converting and presenting each of the subset of elements.

**Appendix B: Evidence**

**NONE**

**Appendix C: Related Proceedings**

**NONE**